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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/657,097

09/09/2003

Hideo Tanaka

242364US2

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07/01/2008

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EXAMINER

NGUYEN, ALLEN H

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

07/01/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/657,097	Applicant(s) TANAKA, HIDEO	
	Examiner ALLEN H. NGUYEN	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- This office action is responsive to the following communication:
Amendment filed on 03/12/2008.
- Claims 1-9, 14-15 are currently pending in the application.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Response to Arguments

2. Applicant's arguments filed 03/12/2008 have been fully considered but they are not persuasive.
3. With respect to applicant's argument that "Applicant acknowledges with appreciation the indication of allowable subject matter. In response, Claim 1 has been amended to incorporate the subject matter of allowable Claim 11. Similarly, Claims 12 and 13 have been rewritten to be in independent form as Claims 14 and 15, respectively. Therefore, since independent Claims 1, 14 and 15 contain subject matter indicated as allowable by the Examiner, Claims 1, 14 and 15 are allowable".

In reply: Regarding claim 1, lida '279 discloses a facsimile apparatus (a network facsimile apparatus, fig. 3) configured to exchange email data via a network (i.e., the network facsimile apparatus is able to communicate using both a public switched

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telephone network and a computer network, and has a facsimile section which transmits and receives an image via the public switched telephone network, a mail section which transmits and receives an e-mail via the computer network; see Abstract), comprising:

a system control unit (CPU 1, fig. 3) which controls an operation of the facsimile apparatus (i.e., CPU 1 that operates by an operating system and is accessible to ROM 2, RAM 3 and external storage 4; see col. 3, lines 40-42, fig. 3);

a communication management unit (9, 12, fig. 3) which stores communication management information in response to occurrence of a facsimile communication (i.e., FAX communication section 9 performs facsimile communication and WWW server section 12 provides a server function for communication with a WWW browser in accordance with HTTP protocol to exchange homepage data; see col. 3, lines 59-63 and col. 4, lines 10-15);

an address registration unit (13, fig. 3) which registers an email address to which email is transmitted (i.e., E-mail communication section 13 performs transmission and reception of e-mail via a network, while functions as an e-mail server; see col. 4, lines 15-17, fig. 3);

a data-format conversion unit (14, fig. 3) which converts the communication management information stored in said communication management unit into data in a text format (i.e., TIFF conversion section 14 provides a function of converting coded facsimile data and document file data into TIFF format; see col. 4, lines 17-20, fig. 3),

wherein said system control unit (CPU 1, fig. 3) sends the communication management information in the text format to the email address registered in said

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address registration unit (13, fig. 3) by email (i.e., e-mail communication section 13 fetches the file of the designated document number from external storage 4 through file management section 36 and makes the file an e-mail to send to the destination address; see col. 9, lines 55-60, figs. 5-6).

lida '279 does not explicitly show when a number of facsimile transmissions to a specified address exceeds a predetermined number.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Shibata '955. In particular, Shibata '955 teaches when a number of facsimile transmissions to a specified address (i.e., an E-mail address 34 representing an E-mail address of the specific local communications terminal; Col. 7, lines 52-55, fig. 3) exceeds a predetermined number (i.e., in Step S120 if the number of access times exceeds a predetermined value; Col. 14, lines 42-43, fig. 10).

In view of the above, having the system of lida and then given the well-established teaching of Shibata, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of lida as taught by Shibata to include: a number of facsimile transmissions to a specified address exceeds a predetermined number, since Shibata stated in col. 1, lines 15-20 that such a modification would ensure a unique communications apparatus has been developed recently, which is capable of transmitting and receiving facsimile image data through the Internet using its low cost communications capability.

Regarding claim 14, Iida '279 discloses a facsimile apparatus (a network facsimile apparatus, fig. 3) configured to exchange email data via a network (i.e., the network facsimile apparatus is able to communicate using both a public switched telephone network and a computer network, and has a facsimile section which transmits and receives an image via the public switched telephone network, a mail section which transmits and receives an e-mail via the computer network; see Abstract), comprising:

a system control unit (CPU 1, fig. 3) which controls an operation of the facsimile apparatus (i.e., CPU 1 that operates by an operating system and is accessible to ROM 2, RAM 3 and external storage 4; see col. 3, lines 40-42, fig. 3);

a communication management unit (9, 12, fig. 3) which stores communication management information in response to occurrence of a facsimile communication (i.e., FAX communication section 9 performs facsimile communication and WWW server section 12 provides a server function for communication with a WWW browser in accordance with HTTP protocol to exchange homepage data; see col. 3, lines 59-63 and col. 4, lines 10-15);

an address registration unit (13, fig. 3) which registers an email address to which email is transmitted (i.e., E-mail communication section 13 performs transmission and reception of e-mail via a network, while functions as an e-mail server; see col. 4, lines 15-17, fig. 3);

a data-format conversion unit (14, fig. 3) which converts the communication management information stored in said communication management unit into data in a

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text format (i.e., TIFF conversion section 14 provides a function of converting coded facsimile data and document file data into TIFF format; see col. 4, lines 17-20, fig. 3),

wherein said system control unit (CPU 1, fig. 3) sends the communication management information in the text format to the email address registered in said address registration unit (13, fig. 3) by email (i.e., e-mail communication section 13 fetches the file of the designated document number from external storage 4 through file management section 36 and makes the file an e-mail to send to the destination address; see col. 9, lines 55-60, figs. 5-6).

lida '279 does not explicitly show when a number of facsimile transmissions to a specified address exceeds a predetermined number.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Shibata '955. In particular, Shibata '955 teaches when a number of facsimile transmissions to a specified address (i.e., an E-mail address 34 representing an E-mail address of the specific local communications terminal; Col. 7, lines 52-55, fig. 3) exceeds a predetermined number (i.e., in Step S120 if the number of access times exceeds a predetermined value; Col. 14, lines 42-43, fig. 10).

In view of the above, having the system of lida and then given the well-established teaching of Shibata, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of lida as taught by Shibata to include: a number of facsimile transmissions to a specified address exceeds a predetermined number, since Shibata stated in col. 1, lines 15-20 that such a modification would ensure a unique communications apparatus has been developed

recently, which is capable of transmitting and receiving facsimile image data through the Internet using its low cost communications capability.

Regarding claim 15, Iida '279 discloses a facsimile apparatus (a network facsimile apparatus, fig. 3) configured to exchange email data via a network (i.e., the network facsimile apparatus is able to communicate using both a public switched telephone network and a computer network, and has a facsimile section which transmits and receives an image via the public switched telephone network, a mail section which transmits and receives an e-mail via the computer network; see Abstract), comprising:

a system control unit (CPU 1, fig. 3) which controls an operation of the facsimile apparatus (i.e., CPU 1 that operates by an operating system and is accessible to ROM 2, RAM 3 and external storage 4; see col. 3, lines 40-42, fig. 3);

a communication management unit (9, 12, fig. 3) which stores communication management information in response to occurrence of a facsimile communication (i.e., FAX communication section 9 performs facsimile communication and WWW server section 12 provides a server function for communication with a WWW browser in accordance with HTTP protocol to exchange homepage data; see col. 3, lines 59-63 and col. 4, lines 10-15);

an address registration unit (13, fig. 3) which registers an email address to which email is transmitted (i.e., E-mail communication section 13 performs transmission and reception of e-mail via a network, while functions as an e-mail server; see col. 4, lines 15-17, fig. 3);

a data-format conversion unit (14, fig. 3) which converts the communication management information stored in said communication management unit into data in a text format (i.e., TIFF conversion section 14 provides a function of converting coded facsimile data and document file data into TIFF format; see col. 4, lines 17-20, fig. 3),

wherein said system control unit (CPU 1, fig. 3) sends the communication management information in the text format to the email address registered in said address registration unit (13, fig. 3) by email (i.e., e-mail communication section 13 fetches the file of the designated document number from external storage 4 through file management section 36 and makes the file an e-mail to send to the destination address; see col. 9, lines 55-60, figs. 5-6).

lida '279 does not explicitly show when a number of facsimile transmissions longer than a specified communication time exceeds a predetermined number.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Shibata '955. In particular, Shibata '955 teaches when a number of facsimile transmissions longer than a specified communication time exceeds a predetermined number (i.e., in Step S120 if the number of access times exceeds a predetermined value; Col. 14, lines 42-43, fig. 10).

In view of the above, having the system of lida and then given the well-established teaching of Shibata, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of lida as taught by Shibata to include: a number of facsimile transmissions longer than a specified communication time exceeds a predetermined number, since Shibata stated in col. 1,

lines 15-20 that such a modification would ensure a unique communications apparatus has been developed recently, which is capable of transmitting and receiving facsimile image data through the Internet using its low cost communications capability.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 6-9, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iida (US 6,952,279) in view of Shibata (US 6,825,955).

Regarding claim 1, Iida '279 discloses a facsimile apparatus (a network facsimile apparatus, fig. 3) configured to exchange email data via a network (i.e., the network facsimile apparatus is able to communicate using both a public switched telephone network and a computer network, and has a facsimile section which transmits and receives an image via the public switched telephone network, a mail section which transmits and receives an e-mail via the computer network; see Abstract), comprising:

a system control unit (CPU 1, fig. 3) which controls an operation of the facsimile apparatus (i.e., CPU 1 that operates by an operating system and is accessible to ROM 2, RAM 3 and external storage 4; see col. 3, lines 40-42, fig. 3);

a communication management unit (9, 12, fig. 3) which stores communication management information in response to occurrence of a facsimile communication (i.e.,

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FAX communication section 9 performs facsimile communication and WWW server section 12 provides a server function for communication with a WWW browser in accordance with HTTP protocol to exchange homepage data; see col. 3, lines 59-63 and col. 4, lines 10-15);

an address registration unit (13, fig. 3) which registers an email address to which email is transmitted (i.e., E-mail communication section 13 performs transmission and reception of e-mail via a network, while functions as an e-mail server; see col. 4, lines 15-17, fig. 3);

a data-format conversion unit (14, fig. 3) which converts the communication management information stored in said communication management unit into data in a text format (i.e., TIFF conversion section 14 provides a function of converting coded facsimile data and document file data into TIFF format; see col. 4, lines 17-20, fig. 3),

wherein said system control unit (CPU 1, fig. 3) sends the communication management information in the text format to the email address registered in said address registration unit (13, fig. 3) by email (i.e., e-mail communication section 13 fetches the file of the designated document number from external storage 4 through file management section 36 and makes the file an e-mail to send to the destination address; see col. 9, lines 55-60, figs. 5-6).

lida '279 does not explicitly show when a number of facsimile transmissions to a specified address exceeds a predetermined number.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Shibata '955. In particular, Shibata '955 teaches when a number of

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facsimile transmissions to a specified address (i.e., an E-mail address 34 representing an E-mail address of the specific local communications terminal; Col. 7, lines 52-55, fig. 3) exceeds a predetermined number (i.e., in Step S120 if the number of access times exceeds a predetermined value; Col. 14, lines 42-43, fig. 10).

In view of the above, having the system of Iida and then given the well-established teaching of Shibata, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Iida as taught by Shibata to include: a number of facsimile transmissions to a specified address exceeds a predetermined number, since Shibata stated in col. 1, lines 15-20 that such a modification would ensure a unique communications apparatus has been developed recently, which is capable of transmitting and receiving facsimile image data through the Internet using its low cost communications capability.

Regarding claim 6, Iida '279 discloses the facsimile apparatus (a network facsimile apparatus, fig. 3), wherein only a portion of items of the communication management information are converted into data in the text format (i.e., the rewrite of a portion in the HTML file of the internet reception list is finished when the HTML file of the internet reception list; see col. 11, lines 47-49), and are sent to the email address registered in said address registration unit by email (i.e., in which the data of the corresponding document number is replaced with the edited data, is returned to external storage 4; see col. 11, lines 49-51).

Regarding claim 7, lida '279 discloses the facsimile apparatus (a network facsimile apparatus, fig. 3), wherein said portion of items include at least one of a date of facsimile transmission and/or reception, a time thereof, a destination of facsimile transmission, an originating source of facsimile transmission, a communication mode, a number of pages, communication results, and a user code (i.e., document generating section 37 replaces the data of the corresponding document number (title, sender and others) with the edited data (received data) (ST1103); see col. 11, lines 43-45, figs. 7, 13).

Regarding claim 8, lida '279 discloses the facsimile apparatus (a network facsimile apparatus, fig. 3), wherein the portion of items are specified by use of a terminal connected to said facsimile apparatus (i.e., a network facsimile apparatus which has a WWW sever inside the apparatus, and is able to generate a structured document of reception list to provide to a client in homepage format in order to provide received data selected in the reception list to the client; see col. 2, lines 10-15, fig. 9).

Regarding claim 9, lida '279 discloses the facsimile apparatus (a network facsimile apparatus, fig. 3), wherein said system control unit (document list generating section 37 which operates under the control of CPU 1, figs. 3, 5) sends the communication management information in the text format to the email address by email at a specified time (i.e., document list generating section 37 converts a document

number, data, sender and title of new received data into HTML document to generate list data; see fig. 14, Registered date).

Regarding claim 14, Iida '279 discloses a facsimile apparatus (a network facsimile apparatus, fig. 3) configured to exchange email data via a network (i.e., the network facsimile apparatus is able to communicate using both a public switched telephone network and a computer network, and has a facsimile section which transmits and receives an image via the public switched telephone network, a mail section which transmits and receives an e-mail via the computer network; see Abstract), comprising:

a system control unit (CPU 1, fig. 3) which controls an operation of the facsimile apparatus (i.e., CPU 1 that operates by an operating system and is accessible to ROM 2, RAM 3 and external storage 4; see col. 3, lines 40-42, fig. 3);

a communication management unit (9, 12, fig. 3) which stores communication management information in response to occurrence of a facsimile communication (i.e., FAX communication section 9 performs facsimile communication and WWW server section 12 provides a server function for communication with a WWW browser in accordance with HTTP protocol to exchange homepage data; see col. 3, lines 59-63 and col. 4, lines 10-15);

an address registration unit (13, fig. 3) which registers an email address to which email is transmitted (i.e., E-mail communication section 13 performs transmission and reception of e-mail via a network, while functions as an e-mail server; see col. 4, lines 15-17, fig. 3);

a data-format conversion unit (14, fig. 3) which converts the communication management information stored in said communication management unit into data in a text format (i.e., TIFF conversion section 14 provides a function of converting coded facsimile data and document file data into TIFF format; see col. 4, lines 17-20, fig. 3),

wherein said system control unit (CPU 1, fig. 3) sends the communication management information in the text format to the email address registered in said address registration unit (13, fig. 3) by email (i.e., e-mail communication section 13 fetches the file of the designated document number from external storage 4 through file management section 36 and makes the file an e-mail to send to the destination address; see col. 9, lines 55-60, figs. 5-6).

lida '279 does not explicitly show when a number of facsimile transmissions to a specified address exceeds a predetermined number.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Shibata '955. In particular, Shibata '955 teaches when a number of facsimile transmissions to a specified address (i.e., an E-mail address 34 representing an E-mail address of the specific local communications terminal; Col. 7, lines 52-55, fig. 3) exceeds a predetermined number (i.e., in Step S120 if the number of access times exceeds a predetermined value; Col. 14, lines 42-43, fig. 10).

In view of the above, having the system of lida and then given the well-established teaching of Shibata, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of lida as taught by Shibata to include: a number of facsimile transmissions to a specified address exceeds

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a predetermined number, since Shibata stated in col. 1, lines 15-20 that such a modification would ensure a unique communications apparatus has been developed recently, which is capable of transmitting and receiving facsimile image data through the Internet using its low cost communications capability.

Regarding claim 15, Iida '279 discloses a facsimile apparatus (a network facsimile apparatus, fig. 3) configured to exchange email data via a network (i.e., the network facsimile apparatus is able to communicate using both a public switched telephone network and a computer network, and has a facsimile section which transmits and receives an image via the public switched telephone network, a mail section which transmits and receives an e-mail via the computer network; see Abstract), comprising:

a system control unit (CPU 1, fig. 3) which controls an operation of the facsimile apparatus (i.e., CPU 1 that operates by an operating system and is accessible to ROM 2, RAM 3 and external storage 4; see col. 3, lines 40-42, fig. 3);

a communication management unit (9, 12, fig. 3) which stores communication management information in response to occurrence of a facsimile communication (i.e., FAX communication section 9 performs facsimile communication and WWW server section 12 provides a server function for communication with a WWW browser in accordance with HTTP protocol to exchange homepage data; see col. 3, lines 59-63 and col. 4, lines 10-15);

an address registration unit (13, fig. 3) which registers an email address to which email is transmitted (i.e., E-mail communication section 13 performs transmission and

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reception of e-mail via a network, while functions as an e-mail server; see col. 4, lines 15-17, fig. 3);

a data-format conversion unit (14, fig. 3) which converts the communication management information stored in said communication management unit into data in a text format (i.e., TIFF conversion section 14 provides a function of converting coded facsimile data and document file data into TIFF format; see col. 4, lines 17-20, fig. 3),

wherein said system control unit (CPU 1, fig. 3) sends the communication management information in the text format to the email address registered in said address registration unit (13, fig. 3) by email (i.e., e-mail communication section 13 fetches the file of the designated document number from external storage 4 through file management section 36 and makes the file an e-mail to send to the destination address; see col. 9, lines 55-60, figs. 5-6).

lida '279 does not explicitly show when a number of facsimile transmissions longer than a specified communication time exceeds a predetermined number.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Shibata '955. In particular, Shibata '955 teaches when a number of facsimile transmissions longer than a specified communication time exceeds a predetermined number (i.e., in Step S120 if the number of access times exceeds a predetermined value; Col. 14, lines 42-43, fig. 10).

In view of the above, having the system of lida and then given the well-established teaching of Shibata, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of lida as taught by

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Shibata to include: a number of facsimile transmissions longer than a specified communication time exceeds a predetermined number, since Shibata stated in col. 1, lines 15-20 that such a modification would ensure a unique communications apparatus has been developed recently, which is capable of transmitting and receiving facsimile image data through the Internet using its low cost communications capability.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iida (US 6,952,279) in view of Shibata (US 6,825,955), and further in view of Saga (US 6,873,841).

Regarding claim 2, the combination of Iida '279 and Shibata '955 does not explicitly show the facsimile apparatus, wherein the text format is the CSV format.

However, the above-mentioned claimed limitation is well known in the art as evidenced by Saga '841. In particular, Saga '841 teaches the facsimile apparatus (PDA 102, fig. 1), wherein the text format is the CSV format (i.e., if database file 108 is encoded in a proprietary format, the file format is to be converted into a useful intermediate format that allows the data to be easily manipulated by web server 106. This might typically be the comma-separated-variable (CSV) format, which is often used to pass data between databases that do not use a common file format; see col. 6, lines 5-10, figs. 2-3).

In view of the above, having the system of Iida and Shibata and then given the well-established teaching of Saga, it would have been obvious to one having ordinary

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skill in the art at the time of the invention was made to modify the system of Iida and Shibata as taught by Saga to include: the facsimile apparatus, wherein the text format is the CSV format, since such a modification would integrate the information into a spreadsheet for the tabulation of various fields that are not typically exposed through an online website report. This provides the user with ultimate flexibility in viewing the Telecommunication Call Events, such as the total call duration for a specified range of time.

7. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iida (US 6,952,279) in view of Shibata (US 6,825,955), and further in view of Otsuka et al. (US 6,700,674).

Regarding claim 3, Iida '279 discloses the facsimile apparatus, wherein said system control unit (CPU 1, fig. 3) requests said data-format conversion unit (14, fig. 3) to convert the communication management information stored in said communication management unit (9, 12, fig. 3) into data in the text format (i.e., TIFF conversion section 14 provides a function of converting coded facsimile data and document file data into TIFF format; see col. 4, lines 17-20, fig. 3).

The combination of Iida '279 and Shibata '955 does not explicitly show the facsimile apparatus in response to a detection that transmissions and receptions have occurred more than a predetermined number of times.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Otsuka '674. In particular, Otsuka '674 teaches the facsimile apparatus, in response to a detection that transmissions and receptions (i.e., the automatic confirming means automatically detects the situation by transmitting means via the public communication switched network and transmits the image information; Col. 4, lines 55-60) have occurred more than a predetermined number of times (i.e., it is confirmed whether a set number of redials allowed when retransmitting the facsimile communication via the public communication switched network has been exceeded (S390); see col. 16, lines 30-35, fig. 12).

In view of the above, having the combination system of Iida and Shibata and then given the well-established teaching of Otsuka, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Iida and Shibata as taught by Otsuka to include: the facsimile apparatus in response to a detection that transmissions and receptions have occurred more than a predetermined number of times, since Otsuka stated in col. 3, lines 40-45 that such a modification would ensure to improve the operation of the facsimile apparatus, not only is it desirable to permit a change in the priority route of an individual transmission, it is also preferred that the invention permit changing the priority order for the communication routes to an addressee on a permanent basis. At the same time, it allows the important information to reach the desired party.

Regarding claim 4, Otsuka '674 discloses the facsimile apparatus, wherein said system control unit (A communication control operation executed by a CPU provided in the facsimile apparatus, fig. 14) determines according to a user parameter (i.e., the user can easily perform an evaluation of whether the priority order changing means should be activated by displaying how the priority order was registered initially; Col. 3, lines 35-40) whether to send the communication management information in the text format to the email address in response to the detection (i.e., the automatic confirming means automatically detects the situation by transmitting means via the public communication switched network and transmits the image information; Col. 4, lines 55-60) that transmissions and receptions have occurred more than a predetermined number of times (i.e., If the mail flag 13g is OFF (S410: NO), the program switches to facsimile transmission via the internet, taking the mail address registered for the addressee selected in S350 as the address to which to transmit, and performs facsimile transmission via the internet as e-mail (S440); see col. 16, lines 45-50, fig. 12).

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iida (US 6,952,279) in view of Shibata (US 6,825,955), and further in view of Sato et al. (US 6,230,189).

Regarding claim 5, the combination of Iida '279 and Shibata '955 does not explicitly show the facsimile apparatus, wherein said system control unit outputs the communication management information on a sheet of paper if the email transmission of the communication management information fails.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Sato '189. In particular, Sato '189 teaches the facsimile apparatus (the network facsimile apparatus 2, fig. 2), wherein said system control unit (CPU 20, fig. 2) outputs the communication management information on a sheet of paper if the email transmission of the communication management information fails (i.e., if the CPU 20 determines that the comparison result made in Step S301 exceeds the predetermined time, the CPU 20 reads the corresponding FAX-to-LAN image files from the image memory 25 to print on the printer 31 or a network printer connected to the LAN 1a, in Step S303; see col. 14, lines 58-62, fig. 12).

In view of the above, having the system of Iida and Shibata and then given the well-established teaching of Sato, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Iida and Shibata as taught by Sato to include: the facsimile apparatus, wherein said system control unit outputs the communication management information on a sheet of paper if the email transmission of the communication management information fails, since Sato '189 stated in col. 1, lines 59-62 that such a modification would ensure users can greatly benefit from such convenient connections between networks of the facsimile machines and the data terminals by means of the network facsimile machine.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miyana (US 7,009,725) discloses electronic mail communication apparatus and communication method.

Suzuki (US 6,452,688) discloses communication terminal and computer system.

Hamano et al. (US 5,251,043) discloses facsimile apparatus comprising means for continuously transmitting plural groups of image data to the same receiver party.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALLEN H. NGUYEN whose telephone number is (571)270-1229. The examiner can normally be reached on M-F from 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571)-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/King Y. Poon/

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Supervisory Patent Examiner, Art Unit 2625

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